

remember as an incoming freshman Member of this House in 1997, along with other Members of that freshman class, attending an orientation program for new Members of Congress at the Kennedy School of Government at Harvard University. I personally found the program very helpful as I transitioned in to serving as a Member of this body. Even though I had been a Member of the Texas legislature for 10 years, I recognized very quickly that Congress is a different place, has a unique set of characteristics, and a range of issues that almost all new Members will be experiencing for the first time.

Members of Congress are not alone. In the judicial branch, Federal judges attend an orientation program put on by the Federal Judicial Conference. As the gentleman from California (Mr. HORN) mentioned, at our hearing on October 13, our subcommittee heard from a long list of distinguished witnesses who spoke in favor of this legislation. This bill passed out of our committee on October 28 with bipartisan support. It is noncontroversial; and I have full confidence that if we can pass this bill, it will help the new incoming administration be better prepared to govern.

I urge the House to pass this law, and I commend again the gentleman from California (Mr. HORN) and the gentleman from California (Mr. WAXMAN) for their leadership on this issue.

Mr. Speaker, I yield back the balance of my time.

Mr. HORN. Mr. Speaker, I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 3137.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 468) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public, as amended.

The Clerk read as follows:

S. 468

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Financial Assistance Management Improvement Act of 1999".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) there are over 600 different Federal financial assistance programs to implement domestic policy;

(2) while the assistance described in paragraph (1) has been directed at critical problems, some Federal administrative requirements may be duplicative, burdensome or conflicting, thus impeding cost-effective delivery of services at the local level;

(3) the Nation's State, local, and tribal governments and private, nonprofit organizations are dealing with increasingly complex problems which require the delivery and coordination of many kinds of services; and

(4) streamlining and simplification of Federal financial assistance administrative procedures and reporting requirements will improve the delivery of services to the public.

#### SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) improve the effectiveness and performance of Federal financial assistance programs;

(2) simplify Federal financial assistance application and reporting requirements;

(3) improve the delivery of services to the public; and

(4) facilitate greater coordination among those responsible for delivering such services.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

(2) FEDERAL AGENCY.—The term "Federal agency" means any agency as defined under section 551(1) of title 5, United States Code.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term "Federal financial assistance" has the same meaning as defined in section 7501(a)(5) of title 31, United States Code, under which Federal financial assistance is provided, directly or indirectly, to a non-Federal entity.

(4) LOCAL GOVERNMENT.—The term "local government" means a political subdivision of a State that is a unit of general local government (as defined under section 7501(a)(11) of title 31, United States Code).

(5) NON-FEDERAL ENTITY.—The term "non-Federal entity" means a State, local government, or nonprofit organization.

(6) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means any corporation, trust, association, cooperative, or other organization that—

(A) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(B) is not organized primarily for profit; and

(C) uses net proceeds to maintain, improve, or expand the operations of the organization.

(7) STATE.—The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, and any instrumentality thereof, any multi-State, regional, or interstate entity which has governmental functions, and any Indian Tribal Government.

(8) TRIBAL GOVERNMENT.—The term "tribal government" means an Indian tribe, as that term is defined in section 7501(a)(9) of title 31, United States Code.

(9) UNIFORM ADMINISTRATIVE RULE.—The term "uniform administrative rule" means a Government-wide uniform rule for any generally applicable requirement established to achieve national policy objectives that applies to multiple Federal financial assistance programs across Federal agencies.

#### SEC. 5. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Except as provided under subsection (b), not later than 18 months after

the date of enactment of this Act, each Federal agency shall develop and implement a plan that—

(1) streamlines and simplifies the application, administrative, and reporting procedures for Federal financial assistance programs administered by the agency;

(2) demonstrates active participation in the interagency process under section 6(a)(2);

(3) demonstrates appropriate agency use, or plans for use, of the common application and reporting system developed under section 6(a)(1);

(4) designates a lead agency official for carrying out the responsibilities of the agency under this Act;

(5) allows applicants to electronically apply for, and report on the use of, funds from the Federal financial assistance program administered by the agency;

(6) ensures recipients of Federal financial assistance provide timely, complete, and high quality information in response to Federal reporting requirements; and

(7) in cooperation with recipients of Federal financial assistance, establishes specific annual goals and objectives to further the purposes of this Act and measure annual performance in achieving those goals and objectives, which may be done as part of the agency's annual planning responsibilities under the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285).

(b) EXTENSION.—If a Federal agency is unable to comply with subsection (a), the Director may extend for up to 12 months the period for the agency to develop and implement a plan in accordance with subsection (a).

(c) COMMENT AND CONSULTATION ON AGENCY PLANS.—

(1) COMMENT.—Each agency shall publish the plan developed under subsection (a) in the Federal Register and shall receive public comment of the plan through the Federal Register and other means (including electronic means). To the maximum extent practicable, each Federal agency shall hold public forums on the plan.

(2) CONSULTATION.—The lead official designated under subsection (a)(4) shall consult with representatives of non-Federal entities during development and implementation of the plan. Consultation with representatives of State, local, and tribal governments shall be in accordance with section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534).

(d) SUBMISSION OF PLAN.—Each Federal agency shall submit the plan developed under subsection (a) to the Director and Congress and report annually thereafter on the implementation of the plan and performance of the agency in meeting the goals and objectives specified under subsection (a)(7). Such report may be included as part of any of the general management reports required under law.

#### SEC. 6. DUTIES OF THE DIRECTOR.

(a) IN GENERAL.—The Director, in consultation with agency heads and representatives of non-Federal entities, shall direct, coordinate, and assist Federal agencies in establishing—

(1) a common application and reporting system, including—

(A) a common application or set of common applications, wherein a non-Federal entity can apply for Federal financial assistance from multiple Federal financial assistance programs that serve similar purposes and are administered by different Federal agencies;

(B) a common system, including electronic processes, wherein a non-Federal entity can apply for, manage, and report on the use of

funding from multiple Federal financial assistance programs that serve similar purposes and are administered by different Federal agencies; and

(C) uniform administrative rules for Federal financial assistance programs across different Federal agencies; and

(2) an interagency process for addressing—

(A) ways to streamline and simplify Federal financial assistance administrative procedures and reporting requirements for non-Federal entities;

(B) improved interagency and intergovernmental coordination of information collection and sharing of data pertaining to Federal financial assistance programs, including appropriate information sharing consistent with section 552a of title 5, United States Code; and

(C) improvements in the timeliness, completeness, and quality of information received by Federal agencies from recipients of Federal financial assistance.

(b) **LEAD AGENCY AND WORKING GROUPS.**—The Director may designate a lead agency to assist the Director in carrying out the responsibilities under this section. The Director may use interagency working groups to assist in carrying out such responsibilities.

(c) **REVIEW OF PLANS AND REPORTS.**—Upon the request of the Director, agencies shall submit to the Director, for the Director's review, information and other reporting regarding agency implementation of this Act.

(d) **EXEMPTIONS.**—The Director may exempt any Federal agency or Federal financial assistance program from the requirements of this Act if the Director determines that the Federal agency does not have a significant number of Federal financial assistance programs. The Director shall maintain a list of exempted agencies which shall be available to the public through the Office of Management and Budget's Internet site.

(e) **REPORT ON RECOMMENDED CHANGES IN LAW.**—Not later than 18 months after the date of the enactment of this Act, the Director shall submit to Congress a report containing recommendations for changes in law to improve the effectiveness, performance, and coordination of Federal financial assistance programs.

(f) **DEADLINE.**—All actions required under this section shall be carried out not later than 18 months after the date of enactment of this Act.

## SEC. 7. EVALUATION.

(a) **IN GENERAL.**—The General Accounting Office shall evaluate the effectiveness of this Act. Not later than 6 years after the date of enactment of this Act, the evaluation shall be submitted to the lead agency, the Director, and Congress. The evaluation shall be performed with input from State, local, and tribal governments, and nonprofit organizations.

(b) **CONTENTS.**—The evaluation under subsection (a) shall—

(1) assess the effectiveness of this Act in meeting the purposes of this Act and make specific recommendations to further the implementation of this Act;

(2) evaluate actual performance of each agency in achieving the goals and objectives stated in agency plans; and

(3) assess the level of coordination among the Director, Federal agencies, State, local, and tribal governments, and nonprofit organizations in implementing this Act.

## SEC. 8. COLLECTION OF INFORMATION.

Nothing in this Act shall be construed to prevent the Director or any Federal agency from gathering, or to exempt any recipient of Federal financial assistance from providing, information that is required for review of the financial integrity or quality of services of an activity assisted by a Federal financial assistance program.

## SEC. 9. JUDICIAL REVIEW.

There shall be no judicial review of compliance or noncompliance with any of the provisions of this Act. No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action.

## SEC. 10. STATUTORY REQUIREMENTS.

Nothing in this Act shall be construed as a means to deviate from the statutory requirements relating to applicable Federal financial assistance programs.

## SEC. 11. EFFECTIVE DATE AND SUNSET.

This Act shall take effect on the date of enactment of this Act and shall cease to be effective 8 years after such date of enactment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding to my distinguished colleague, the gentleman from Ohio (Mr. PORTMAN), to explain this legislation, I simply wanted my colleagues in the House to know that this bill is nearly identical to H.R. 409, which was unanimously approved by the House on February 24, 1999.

In essence, this legislation requires Federal agencies to coordinate and streamline the process by which applicants apply for grants and other assistance programs, particularly where similar programs are administered by the different Federal agencies.

I believe the Office of Management and Budget currently has the authority to streamline the grant application process, and it should do so. Since it has failed to act, however, I believe this mandate is necessary.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN), the author of this legislation, for a full explanation of the bill.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of the legislation before us, the Federal Financial Assistance Management Improvement Act of 1999. I was pleased to be the lead House sponsor of this legislation, along with my friend and colleague, the gentleman from Maryland (Mr. HOYER).

I would like to especially thank the subcommittee chairman, the gentleman from California (Mr. HORN), for helping us get to this point. Even sometimes the best legislation gets tied up in maneuvers between the House and Senate and in committee, and the gentleman from California (Mr. HORN) has been very helpful to getting us to this point.

I would like to thank the gentleman from New Hampshire (Mr. SUNUNU) and others on the subcommittee for their strong support of this legislation. I would also like to recognize my friend and colleague from Ohio, Mr. VOINOVICH, the new Senator from Ohio,

who offered the Senate version of this legislation and who has worked closely with us to get this good government legislation to the floor of the House and Senate and to get it done this year.

□ 1300

Mr. Speaker, while the Senate has made some minor amendments, as the gentleman from California (Chairman HORN) has said, this bill is essentially the same legislation that passed the House overwhelmingly earlier this year, H.R. 409. The original Senate bill that we looked at had a 36-month implementation timetable. I am pleased to say in the last few weeks we have been successful at preserving the House language that requires implementation within a short period of time, 18 months.

Every Member of Congress I believe has heard, as I have, from our non-profit community, from our State and local governments, about the frustration of the process of applying for Federal grants and keeping up with the reporting requirements that follow. That is what this legislation is intended to address.

Right now there are over 600 separate Federal programs that provide financial assistance to State and local governments, tribal governments, and nonprofits. Of those 600 programs, many serve similar purposes but are administered by different agencies.

For example, taxpayers spend about \$20 billion a year on 163 job training programs in 15 different Federal agencies. Eleven agencies administer over 90 early childhood programs. Each of these programs has its own unique set of applications, reporting requirements, and other red tape. Too often the grant application process is unnecessarily time-consuming and costly.

As a result, what do organizations do? Many pay professional grantwriters to do the work for them, which reduces, of course, the resources available to address critical problems being targeted. Others who do not have the resources to hire a professional grantwriter take the time and energy to do it themselves, taking time away, of course, from their intended mission.

Small but successful nonprofits in greater Cincinnati, the area I represent, for example, that are struggling to help welfare families make the transition to work or helping to keep kids off drugs should not be having their time, efforts, and resources diverted away from the hard work of their mission toward bureaucratic requirements and the applications that are really unnecessary.

I have talked to a lot of groups that are successful in obtaining a Federal grant. I think other Members have the same experience. Those same groups wonder whether it was worth the effort because of the reporting and administrative burdens that are laid on them. Recently I have fielded concerns from around the country about implementation of the Drug-Free Communities Act, legislation I cosponsored, I

sponsored here and was enacted in the last Congress. We felt in Congress we gave pretty simple and clear criteria to the agencies. Yet, the initial application process was neither simple nor clear. It was lengthy, complicated, burdensome, costly. As a result, resources were wasted, and this important program was not as successful as it could have been to the very coalitions, the small coalitions that needed it most.

Congress is not above criticism for the way in which we write legislation and report language, but when we give discretion to the agencies, too often that discretion is used to create unnecessary bureaucratic hurdles.

The bill before us this afternoon addresses this problem by requiring Federal agencies with oversight from the Office of Management and Budget to develop plans within 18 months that streamline application, administrative, and reporting requirements; have a uniform application for related programs, ending duplications; demonstrate interagency coordination to simplify reporting requirements for overlapping programs, and finally, a requirement that the electronic funding and filing be used by the agencies.

The electronic filing and electronic funding is a very important part of this bill that is often overlooked but will allow organizations to apply for and report on the use of funds electronically. Using the Internet as a substitute for cumbersome paperwork is a very welcome innovation in the way the Federal government works. We need to bring technology into the Federal government and allow people to do the same with the Federal government that can now be done with the private sector.

The bill also requires OMB to set annual goals to further the purposes of the Act and to expand electronic filings. Agencies are required under this legislation to work closely with State and local governments and the nonprofit community in setting new performance measures that are in the legislation to achieve the bill's goals.

The bill sunsets in 5 years following a review by the National Academy of Public Administration. It is important to point out that by simplifying this grants process, we are not just helping grant applicants, they will be able to access the Federal government using fewer resources, but we are also reducing the workload for the Federal agencies, which in the end will lead to fewer costs to the taxpayer.

This effort we believe is totally consistent with and in fact builds on other efforts that the gentleman from California (Chairman HORN), the gentleman from Maryland (Mr. HOYER), and others of us have been about, such as the Unfunded Mandates Reform Act, as well as efforts to improve Federal performance overall, such as the Government Performance and Results Act, or GPRA.

The bill is a priority and has been endorsed by all the major State and local

organizations, such as the National Governors Association, the National Conference of State Legislatures, the National Association of Counties, and the National League of Cities. It is also supported by nonprofit organizations out there, OMB Watch and others. It is a good government measure. It will make it easier for Americans to interact with their Federal Government. Importantly, once it is implemented, it will result in efficiencies and cost savings for both grant applicants and the Federal agencies.

The bottom line is we need to let State and local government, charities, nonprofits around the country, focus on their mission. Too often they are forced to spend time navigating the maze of the Federal bureaucracy, rather than doing what they were intended to do, feed the homeless, find jobs for displaced workers, get people off drugs.

Thanks in part to modern technology, we now have the capacity to free people from those burdens. We should take advantage of that opportunity. That is what this legislation is all about.

Mr. Speaker, I thank the gentleman from Texas (Mr. TURNER), and, again, I thank my colleague, the gentleman from Maryland (Mr. HOYER), who is now here, for his work on this, helping me in a bipartisan way to get this to the floor.

I urge all of my colleagues to support this strong effort to make the government work better for all of our constituents.

Mr. TURNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this bill and urge its adoption. I want to recognize the hard work and vision and leadership provided by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER). These two Members, working together, were the driving force behind the adoption of this bipartisan piece of legislation.

It is no secret that State, Federal, local, and tribal governments, as well as nonprofit organizations, are very frustrated with the miles of red tape and regulations that they encounter when they have to apply for a Federal grant. The current system clearly is not user-friendly.

In fact, the Federal government has spawned a cottage industry of people known as Federal grantsmen or Federal grants specialists who hire out to our local governments and our State governments just to fill out the paperwork to apply for a Federal grant.

This legislation, which is similar to House Resolution 409, which was unanimously approved by this House on February 24, is designed to streamline and consolidate the grant application process.

There are more than 600 Federal programs that provide financial assistance to State, local, and tribal governments and nonprofits. These funds and the organizations that use them provide vital

services to the American public. Countless Americans rely on the Federal assistance that comes from Federal loans for education, job training funds, childhood programs, welfare benefits, medical care, and I could go on.

As we all know, unwieldy administrative barriers can reduce the effectiveness of Federal financial assistance and the services it provides. Similar programs can be administered by numerous different agencies, and administrative requirements can be complicated and repetitive. As a result, federally-funded programs are often forced to use time, effort, and money on paperwork, rather than applying those funds to providing the vital services that the public needs.

As a former mayor of my hometown and as a former member of my State legislature, and as a former executive assistant to a former Governor of Texas, I sympathize with the frustration that people at the local and State level are experiencing when they are forced to handle burdensome Federal regulations for Federal loan applications and Federal grant applications.

This bill would help solve that problem. It would streamline the application process, streamline the reporting process, promote the establishment of consistent procedures for financial assistance programs, and encourage the use of electronic application and reporting processes. It also will assure that the Federal government will receive timely and accurate reporting from the grantee.

With the increasing use of block grants to the States, we should require greater accountability from grant recipients.

It is my understanding that the Senate has agreed to the changes that we have made in this bill, and will quickly move to pass the legislation. I think we can all agree that this is a significant piece of legislation, and again, I commend the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. HOYER) for their efforts on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply want to thank the minority for its help at both the subcommittee level and the full committee level, and I am delighted to see one of the major Democratic leaders come and help support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), who, as I mentioned a moment ago, is cosponsor of this bill and has worked tirelessly with the gentleman from Ohio (Mr. PORTMAN) to ensure its passage.

Mr. HOYER. Mr. Speaker, I thank my friend, the gentleman from Texas, for yielding time to me, and I thank the gentleman from California (Mr.

HORN) for his comments. I thank both of them for their leadership in facilitating the movement of this bill to the floor today.

At the outset, I want to say what a privilege and pleasure it is to work with the gentleman from Ohio (Mr. PORTMAN), who is one of our finest Members, and who is one of our Members most focused on legislative accomplishments.

Too often we spend time trying to make political points, and I am involved in that as well. But the gentleman from Ohio (Mr. PORTMAN) has been throughout his career focused on substantive accomplishment, and it is a real privilege and pleasure to work with the gentleman. I thank him for his leadership on this effort.

Mr. Speaker, over the years Congress, as has been pointed out, has created hundreds of programs, 600-plus, of categorical programs to help communities and families deal with various different issues. We did so because we wanted to make sure that the quality of life of our constituents was as good as it possibly could be.

Each of the programs was created, however, with its own nuanced rules and regulations. In some areas local needs do not fit specifically into the designations that are included in the programs. In other areas, there is overlapping and the programs duplicate each other.

For many years as a member of the Subcommittee on Labor, Health and Human Services, and Education, I have talked to the secretaries of those three departments about coordinating their programs so that, whether it is a child or a worker or family, that that family could more easily access the services available across departmental lines.

This bill deals specifically with making sure that grant applicants have an easier time and a more efficient time and a less expensive time in accessing dollars that we want to get as simply and directly as possible to the recipients that are intended to be the beneficiaries of the programs we adopt.

Right now caseworkers spend far too much time dealing with red tape and paperwork. The Federal government has created hundreds of different taps through which assistance flows. Communities, programs, and families must run from tap to tap in many instances with a bucket to help the people that we want to help so well.

One of the analogies I have made is that it is a shame at the Federal level we do not say we want to help child A or family B, and we have a lot of different programs to do that from a lot of different departments, whether it is housing, whether it is nutritional programs out of agriculture, whether it is job programs out of the Department of Labor, education programs out of the Department of Education, Head Start out of HHS, a myriad number of programs, it is a shame that we do not really have a big funnel up here with a

spout, and child Mary or family A or B would get the programs coordinated for them by us, that we created. This bill goes some way towards doing that.

I want to again congratulate the gentleman from Ohio (Mr. PORTMAN) for his leadership on this. It requires the Office of Management and Budget to work with other Federal agencies to establish a uniform application for financial assistance for multiple programs across multiple Federal agencies.

That seems to make a lot of sense, as the gentleman from Texas (Mr. TURNER) has said, but it really has not happened too often. Each agency has had its own perspective on one little question that it had to have answered so that it would approve the application, where the other agency did not need the answer to that question, it needed an answer to another question.

Mr. Speaker, it is all the same tax dollars appropriated by and authorized by the same Congress, and what this legislation says is, come on, fellows, let us get our act together and let us have the locals tell us what we need to know in a uniform way, rely on that, and get that grant money out to them without them wasting dollars on administrative procedures.

Some people denigrate bureaucrats. I do not do that, I represent a lot of them. But that does not mean I want to see a proliferation of bureaucracy that money for children and families goes to, simply trying to get through the system. It is critically important not to have to deal with all kinds of different forms when basically the information we are seeking is the same.

Secondly, this bill will simplify reporting requirements and administrative procedures, and again facilitate, not impede, dollars getting to people that we at the Federal level, our State colleagues and local colleagues, all want to assist.

Thirdly, Mr. Speaker, it will develop electronic methods. My friend, the gentleman from Ohio, spoke about that. This is a critically important aspect of this legislation. I was pleased to ensure that we got this online, so to speak, as quickly as possible. It will help develop electronic methods for applying for and reporting of Federal financial assistance funds. I think, as I have said, that this is critically important. In my opinion, the Federal Government's responsibility will be facilitated by this act.

I agree with the gentleman from Texas, and I know the gentleman from Ohio (Mr. PORTMAN) does as well, we are not saying that we do not want full accountability. We have a responsibility to the taxpayers when we authorize and appropriate this money that the money will be spent in a manner that is effective and accomplishes the result for which it is planned.

On the other hand, we want to facilitate, not impede, the application of those dollars, while at the same time requiring accountability.

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I believe that S. 468 and the House bill that we are now considering will add a much-needed focus on the coordination of program requirements, both within and across Federal departments.

Mr. Speaker, in closing, I want to mention what I mention a lot of times on this floor, unfortunately, the American public that watches C-SPAN sees too often us fighting with one another, and they do so because really what gets on this floor most of the time is the disagreements that we have, because the agreements that we have are done in a much briefer time frame and do not get the focus that the disagreements get.

Here is a perfect example of a bipartisan piece of legislation worked on by the majority party and its leadership and the gentleman from California (Mr. HORN), the minority party and our leadership, the gentleman from Texas (Mr. TURNER), resulting in a bill put together by the gentleman from Ohio (Mr. PORTMAN), with my help, but he has been the leader on this, he really took up where Senator Glenn left off when Senator Glenn left. That is, I think, going to make a very significant, perhaps not front page news but nevertheless significant step forward for facilitating the application of Federal funds in an efficient and effective manner to make the lives of our constituents better.

I thank the gentleman from Ohio (Mr. PORTMAN) for his leadership and work on this issue. As I said, it has been a pleasure working with him, and I thank the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. TURNER).

Mr. HORN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HORN asked and was given permission to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, this legislation has been very eloquently pursued by the minority and the majority and I would ask that S. 468 be adopted by this body. We did it before. Let us do it again. It is the right thing to do.

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE,

Washington, DC, October 26, 1999.

Hon. DAN BURTON,  
Chairman, Committee on Government Reform,  
Rayburn House Office Building, Washington,  
DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Transportation and Infrastructure Committee in H.R. 2513, a bill to direct the Administrator of General Services to acquire a building in Terre Haute, Indiana.

Our Committee recognizes the importance of H.R. 2513 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over certain provisions of the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Transportation and Infrastructure Committee.

With warm personal regards, I remain.  
Sincerely,

BUD SHUSTER,  
*Chairman.*

COMMITTEE ON GOVERNMENT REFORM,  
*Washington, DC, November 1, 1999.*

Hon. BUD SHUSTER,  
*Chairman, Committee on Transportation and  
Infrastructure, Rayburn House Office  
Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter of October 26, 1999 regarding H.R. 2513 a bill directing the Administrator of General Services to acquire a building located in Terre Haute, Indiana.

I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, as you requested, this exchange of letters will be included in the record during floor consideration of this bill.

Thank you for your cooperation in this matter.

Sincerely,

DAN BURTON,  
*Chairman.*

COMMITTEE ON GOVERNMENT REFORM,  
*Washington, DC, October 29, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, Washington, DC.*

DEAR MR. SPEAKER: In the interest of expediting floor consideration of H.R. 2513, a bill to direct the Administrator of the General Services to acquire a building located in Terre Haute, Indiana, and for other purposes, the Committee on Government Reform does not intend to exercise its jurisdiction over this bill.

Originally, the bill was scheduled to be marked up by the committee on September 30th. Congressman Horn and Congressman Waxman, however, agreed to give GSA another thirty days before passing H.R. 2513. After thirty days, both resolved that the bill could be considered on the House floor.

As you know, House Rule X, Establishment and Jurisdiction of Standing Committees, grants the Government Reform Committee with jurisdiction over "government management and accounting measures, generally." Our decision not to exercise the Committee's jurisdiction over this measure is not intended or designed to waive or limit our jurisdiction over any future consideration of related matters.

Thank you for your assistance, and I look forward to working with you throughout the 106th Congress.

Sincerely,

DAN BURTON,  
*Chairman.*

Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. TURNER. Mr. Speaker, I too would urge adoption of this very good bipartisan piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the Senate bill, S. 468, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### DECEPTIVE MAIL PREVENTION AND ENFORCEMENT ACT

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 170) to require certain notices in any mailing using a game of chance for the promotion of a product or service, and for other purposes, as amended.

The Clerk read as follows:

H.R. 170

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Deceptive Mail Prevention and Enforcement Act".

#### SEC. 2. RESTRICTIONS ON MAILINGS USING MISLEADING REFERENCES TO THE UNITED STATES GOVERNMENT.

Section 3001 of title 39, United States Code, is amended—

(1) in subsection (h)—

(A) in the first sentence by striking "contains a seal, insignia, trade or brand name, or any other term or symbol that reasonably could be interpreted or construed as implying any Federal Government connection, approval or endorsement" and inserting the following: "which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government"; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking "and" at the end;

(ii) in subparagraph (B) by striking "or" at the end and inserting "and"; and

(iii) by inserting after subparagraph (B) the following:

"(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or";

(2) in subsection (i) in the first sentence—

(A) in the first sentence by striking "contains a seal, insignia, trade or brand name, or any other term or symbol that reasonably could be interpreted or construed as implying any Federal Government connection, approval or endorsement" and inserting the following: "which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government"; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking "and" at the end;

(ii) in subparagraph (B) by striking "or" at the end and inserting "and"; and

(iii) by inserting after subparagraph (B) the following:

"(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or";

(3) by redesignating subsections (j) and (k) as subsections (m) and (n), respectively; and

(4) by inserting after subsection (i) the following:

"(j)(1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

"(2) Matter described in this paragraph is any matter that—

"(A) constitutes a solicitation for the purchase of or payment for any product or service that—

"(i) is provided by the Federal Government; and

"(ii) may be obtained without cost from the Federal Government; and

"(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A)."

#### SEC. 3. RESTRICTIONS ON SWEEPSTAKES AND DECEPTIVE MAILINGS.

Section 3001 of title 39, United States Code, is amended by inserting after subsection (j) (as added by section 2(4) of this Act) the following:

"(k)(1) In this subsection—

"(A) the term 'clearly and conspicuously displayed' means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

"(B) the term 'facsimile check' means any matter that—

"(i) is designed to resemble a check or other negotiable instrument; but

"(ii) is not negotiable;

"(C) the term 'skill contest' means a puzzle, game, competition, or other contest in which—

"(i) a prize is awarded or offered;

"(ii) the outcome depends predominately on the skill of the contestant; and

"(iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and

"(D) the term 'sweepstakes' means a game of chance for which no consideration is required to enter.

"(2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

"(3) Matter described in this paragraph is any matter that—

"(A)(i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and

"(ii)(I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;

"(II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;

"(III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;

"(IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;

"(V) does not contain sweepstakes rules that state—

"(aa) the estimated odds of winning each prize;